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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ O.M.P. (T) (COMM.) 43/2018

SHRI SAI NATH ENTERPRISES Petitioner
Through Mr.Rajesh Gupta and Mr.Harpreet
Singh, Advs.

versus

DELHI DEVELOPMENT AUTHORITY Respondent
Through Mr.Ashim Shridhar and Mr.Shashi
Pratap Singh, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **28.05.2018**

IA No.7489/2018 (Exemption)

Allowed, subject to all just exceptions.

O.M.P. (T) (COMM.) 43/2018

This petition under Section 15 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') has been filed by the petitioner seeking appointment of a substitute Arbitrator in light of recusal of the Arbitrator appointed by this Court vide order dated 04.09.2017.

Learned counsel for the respondent, who appeared on advance notice, submits that the respondent has no objection if a substitute Arbitrator is appointed.

Having perused the contents of the petition as well the no objection expressed by the learned counsel for the respondent, Justice R.C.Chopra, Retired Judge of this Court (N-7, Greater Kailash-I, New Delhi-110048,

Mobile No.9818097777) is appointed as a substitute Arbitrator. He shall conduct the arbitration under the aegis of the Delhi International Arbitration Centre (DIAC) and the arbitration proceedings shall be governed by the DIAC Rules as to its procedure and fee.

This Court in its order 20.02.2018 passed in Arb. A.(COMM) 49/2017 had directed the Arbitral Tribunal to dispose of the application filed by the petitioner under Section 17 of the Act within a period of six weeks from the date of the said order, however, due to recusal of the Sole Arbitrator, the said application is still pending adjudication. It is directed that the substitute Arbitrator now been appointed shall dispose of the said application within six weeks from the date of the communication of this order.

The petition is allowed in the above terms, with no order as to cost.

Dasti.

NAVIN CHAWLA, J

MAY 28, 2018/Arya